

A

# REVIEW

OF THE

# STATE

OF THE

# BRITISH NATION.

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Tuesday, May 20. 1707.

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**P**Erhaps you may think I was too light in my Observations on the Affair of Trade in the last *Review*, and that the Damage one Part of *Britain* shall suffer by the other on Account of Trade by the Interval of *April*, deserves a more serious Remark.

But let me tell you, Gentlemen, when I come to examine this Matter seriously, there will appear more Disadvantage on your side, than when I was in jest with you; as I think 'tis much less Dishonour for a Man to be a Fool than a Knave.

And tho' the Comparison be severe, I cannot go from it, it is so just and so much to the Purpose; I shall therefore state the Case plainly, and I hope fairly, so as Posterity may understand me; and they that know nothing of the Case before, may come to a right Information of the Debate.

The Grievance in short is, That upon the Union, *Scotland* having a free Trade with *France*, was full of *French* Goods, and there being a long Interval between the Conclusion of the Treaty and the 1<sup>st</sup>. of *May*, on which Day the Union was to take Place, the Merchants crowded yet larger Quantities of *French* Goods into *Scotland*, in Prospekt of a free Admission of those Goods into *England* after the Union, upon the Foot of the 4<sup>th</sup> Article of the Treaty, viz. That there should be a free Intercourse or Communication of Trade between the Nations.

Now had this been only what *Scotland* could have done upon its own Stock, and in the common Course of Trade there, say the Objectors, we should not have complain'd upon any Score whatever; but the *English* Merchants finding this Gap of Trade lie open, have pour'd in their Stocks into *England*, and  
by

by a most prodigious Flux of *French Goods* from thence, have undone all the fair Traders by clandestine Trade, and the Grievance is too great to be born: For these Goods being brought to *Scotland*; where the Duties are small, and not above one fifth, and in some Cases not above one 8th Part of what they were in *England*; by Virtue of the aforesaid free Communication or Interchange, they must be admitted, and thereby the whole Customs would be gain'd by them.

This, I think, is a right State of the Case, and as brief as I can lay it down; and it remains to answer.

First, The Grievance.

And Secondly, Why it is not remedy'd.

And here 'tis also necessary to premise too the Parliamentary History of this Matter, (*viz.*) That the Merchants in *London*, trading in Wine and Brandy, mov'd the Parliament, that an Act might be pass'd to prevent this Mischief; and that the *French Goods*, so prohibited in *England*, might be prohibited coming from *Scotland* also, or at least pay the high Duties payable in *England*.

When this came before the Parliament, of Consequence it brought the 4th Article of the Union upon the Stage, and the apparent Privilege of free Commerce appearing to be the undoubted Right of the *Scots* by the Stipulation of the Treaty, it became a Difficulty; few could resolve, how the Evil could be prevented, and the Treaty not be concern'd.

I shall not be too forward in naming Names, nor examine what and why in the *H of C*—s; but without Doors it was apparent, one Sort of People were for having the Prohibition general and indefinite; and as for the Treaty they did not trouble their Heads with it; the Faith, Honour and Interest of *England* weigh'd nothing with them in Competition with the Case in hand; and these clamour'd of ruining fair Traders, sinking the Revenue of the Customs, and by Consequence the Funds those Customs were appropriated to make good, and the like popular Arguments, improving these things to a wonderful Height.

A second Sort of Gentlemen, with more Judgment and Prudence than these, were

willing to prevent the Impositions upon Trade, if possible, but retain'd a solemn Veneration for the Honour of the Treaty, and these found out a Medium, *viz.* To except the proper Goods of the Subjects of *Scotland*.

This, tho' it was liable to great Exceptions, was some Satisfaction to the People in *Scotland*, that they were taken care of in *England*, and that the Union was justly esteem'd sacred in the Parliament of *England*: But to me this had one Signification superiour to all that, *viz.* That it was a direct Acknowledgment, that the stopping these Goods in general would be an evident Infraction of the Treaty.

Under these Cautions, and encumber'd with various Reflections on every hand, the Bill pass'd the House of Commons, but was thrown out of the House of Lords; their Lordships being so tender in the Case of the Treaty, that they thought *England* ought rather to suffer all the other Inconveniences of Trade, than but to tread on the Confines of the Union, or give the least Shadow of Discontent on the Part of *Scotland*.

Her Majesty however, that if possible Justice might be done on both sides, gives the Parliament a short Prorogation, that they might have Room to try, if they could solve this Point, and bring all sides to a Square.

The Encouragement some took from this, to renew, and indeed encrease the Clamours rais'd before about *French Goods*, their invidious but ridiculous Representation of the vast Quantities of Goods thus lodg'd in *Scotland*, and the Number of Petitioners, I need not repeat here; but that they endeavour'd as it were to hurry the *H of C*—s into the Matter, they ply'd the Doors of the House with continual Cries and clamorous Solicitations, with the Noise of being ruin'd and undone, taking Advantage of a thin House, not above 80 Members being in Town, and with all this, what did they obtain, truly nothing, but the same Bill, with a few small Differences, as they got before.

And here I must note two things happen'd.

1. The End of some Gentlemen was exceedingly disappointed in this, *viz.* To have



have brought the *H of C—s* by their Clamours and popular Arguments, to have pass'd the Bill indefinitely without the Amendment in Favour of *Scotland*, which if they had obtain'd, and I am loth to say how near they thought they were to their Mark, would have answer'd a Politick End, whether it had answer'd a Trading End or no? — This was, that they would immediately have indicted the whole People of *England* of breaking the Treaty, and tho' it might have been thrown out in the *H of L—s*, it would nevertheless have answer'd their End well enough, and supported their Thread-bare Thesis, that the Treaty is at the Mercy of future Parliaments.

To clear up this Matter, I must note, That the Mortification, they have receiv'd on that Head, is particular; since even with all the Advantages they took the House at, they were check'd here, and the Manner is remarkable, viz. That the Amendment in Favour of *Scotland* was not made by the House in Point of Honour to the Treaty only, but the Nature of the thing led it on by a direct Necessity, viz. That they **COULD NOT** do it.

And tho' this is a great Word to say of a *House of Commons*, who, we say sometimes in a Proverbial Sense, can do any thing; yet 'tis just to say here they could not do it; for, as I noted elsewhere, a Parliament may be properly said not to be able to do, what they cannot legally do.

Now they could not in this Sense do any thing to infringe the Treaty, and therefore they could not restrain the free Intercourse of Trade without Tax or Customs, and with equal Prohibitions.

If they had offer'd at this, the previous Question should have been put, whether it interfered with the Union or no? And if it had, they must first have brought in a Bill to repeal the Act of Ratification, and remitted *Scotland* again to its independent State.

Upon this Foot, I say, it was not that upon meer Principles of Justice or Consideration to *Scotland* the Amendment came into Consideration, but the very Nature of the thing, the Necessity of common Reasoning brought it in, the Bill could not have gone on without it; and that Necessity over-

threw the whole Scheme of those Gentlemen's Politicks, who hop'd to bring something upon the Wheel, that should counterwork the whole Union, and set us together by the Ears again, in all Manner of Confusions and Disorder.

But let us go on with the Historical Part, this is the first Attempt made on the Union; may all that succeed it, prosper like it, and all the People that offer to invade the future Tranquillity of *Britain*, live to be disappointed: The Bill has twice been thrown out by the Lords; and the Care the Government and the House of Lords have taken to keep the Union sacred, and to prevent the Advantages that might be taken against us on that Account, is never to be forgotten.

I know, there are Opportunities taken on all Hands to lessen the Reputation of this thing, but I think I may venture to say, the Government could have no Reason for rejecting a Bill, which in its other Parts had so many Advantages, and which was really so much wanted in *England*; but because the sacred Regard they had to the Treaty of Union, would not permit them so much as to tread near the Brink of it, or do the least thing that might tend to give an Uneasiness, give the Shadow of an Objection, or open the Mouths of the most partial in the World to charge them with it.

I wish those Gentlemen in *Scotland*, who have so often talk'd of the Ruin of their Interest by the Superiority of the *British* Parliament, would consider impartially the just and early Concern her Majesty and the Parliament have hereby express'd, even before they come to be *British*, for the Interest of *North Britain*, and that they would state a little the large Indentures the Want of that Act will make in the publick Revenue; what Frauds in the Drawbacks and Debentures will be committed? Things all the World acknowledge to be open and barefac'd Cheats, and let them from thence state the true Value put by *England* upon the Union.

I shall in my next take a little Pains to open the Case of the Drawbacks on Goods exported by Certificate, and the open Frauds which are in hand there, which will farther

farther convince all impartial People of the Injury, England suffers by their exact Observation of the Treaty.

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